

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

UNITED STATES OF AMERICA

PLAINTIFF/RESPONDENT

v.

Civil No. 09-2021
Criminal No. 05-20058

CHUCKY L. WANTON

DEFENDANT/MOVANT

O R D E R

By order entered May 21, 2009, this Court adopted the report and recommendation of the United States Magistrate Judge and denied and dismissed Petitioner's habeas corpus petition. (Doc. 104). Currently before the Court are Petitioner's pro se **Motion for a Certificate of Appealability (Doc. 106) and supplement thereto (Doc. 110), and Motion to Proceed In Forma Pauperis on Appeal (Doc. 107)**. Petitioner has not made a "substantial showing of the denial of a constitutional right," as required for the issuance of a certificate of appealability. 28 U.S.C. § 2253(c)(2). Accordingly, Petitioner's motion for a certificate of appealability and motion to proceed in forma pauperis are hereby **DENIED**.

IT IS SO ORDERED this 24th day of August 2009.

/s/ Robert T. Dawson
HONORABLE ROBERT T. DAWSON
UNITED STATES DISTRICT JUDGE